APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,926	09/28/2000	Reginald W. Sprecher	99AB169	8138

7590   07/14/2003

Attention John J Horn
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EXAMINER
YANCHUS III, PAUL B

ART UNIT	PAPER NUMBER
2185	3

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
> THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _04 December 2000_ .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _04 December 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the predetermined set of resources" in lines 7 and 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the group" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Due to the number of 35 USC § 112, second paragraph rejections, the examiner has provided a number of examples of the claim deficiencies in the above rejection(s), however, the list of rejections may not be all inclusive. Applicant should refer to these rejection(s) as examples of deficiencies and should make all the necessary corrections to eliminate the 35 USC § 112, second paragraph problems and place the claims in a proper format.

For examination purposes, the examiner assumes that claim 8 is intended to be dependent on claim 7, as opposed to claim 6.

For examination purposes, the examiner assumes that claim 17 is intended to be dependent on claim 16, as opposed to claim 14.

For examination purposes, the examiner assumes that claim 19 is intended to be dependent on claim 18, as opposed to claim 15.

For examination purposes, the examiner assumes that claim 20 is intended to be dependent on claim 19, as opposed to claim 17.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 and 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by AlSafadi et al., US Patent no. 6,467,088.

As per claims 1, 5, 6 and 12, AlSafadi et al. teaches a method of adding a component to a system, the method comprising:

determining a required resource list for the component [see "second list" in paragraph below];

linking the required resource list to the component [column 4, lines 12-25];

executing a loader program to compare the required resource list with a predetermined set of resources [see "first list" in paragraph below and column 5, lines 5-20];

when the entire list of required resources matches the set of predetermined resources, adding the component to the system [column 4, lines 27-37 and column 5, lines 8-26];

when less than the entire list of required resources matched the set of predetermined resources, searching for the missing resources [column 5, lines 4-8 and lines 33-40].

AlSafadi et al. teaches a method of checking for compatibility issues when adding a component to a system. When a new component is to be added to a system, the system sends a request to a reconfiguration manager. The request names the new component to be added, as well as a first list of resources, including types and version numbers, in the current system [column 4, lines 12-26]. The reconfiguration manager has access to a second list of resources, including types and version numbers, which are known to be compatible with the new component [column 3, lines 27 – column 4, line 10]. The second list of resources is inherently linked to the new component since it indicates which resources are required by the new component to ensure compatibility. The reconfiguration manager then compares the first and second lists to check if the new component to be added is compatible with the resources in the system. If all of the resources in the first list are matched in the second list, the new component is determined to be compatible with the system and is added [column 4, lines 27-37 and column 5, lines 8-26]. If one or more of the resources in the first list are not matched in the second list, the new component is determined to be incompatible with the system [column 5, lines 4-8]. In one embodiment, AlSafadi et al. teaches indicating to the system, which required resources are missing from the system and offering the missing resources for download [column 5, lines 33-40]. AlSafadi et al. teaches that the missing resources could be stored in a repository, which could be co-located with the reconfiguration manager or at a remote internet location [column 3, lines 27-37]. It is inherent that the reconfiguration manager would have to search for the missing resources to be able to indicate and offer the missing resources for download.

As per claims 2 and 4, AlSafadi et al. teaches that the invention can be applied to hardware upgrades, software upgrades or a combination of hardware and software upgrades [column 4, lines 50-55].

As per claim 3, AlSafadi et al. teaches indicating which required resources are missing from the system when the new component is determined to be incompatible [column 5, lines 33-40].

As per claims 9 and 10, AlSafadi et al. teaches indicating which required resources are missing from the system and offering the missing resources for download. AlSafadi et al. teaches that different versions of the same type of resources are included in the second list of resources and in the repository [Figure 1 and column 3, lines 27-51]. Therefore, AlSafadi et al. teaches offering different versions of the same type of resource to enable compatibility.

As per claim 11, it is inherent that some kind of program is used to collect the list of resources in the system and send them to the reconfiguration manager.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7, 8, and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over AlSafadi et al., US Patent no. 6,467,088.

As per claims 13-17, it would be an obvious design choice to either manually or automatically compile the list of resources. The way in which the list of resources is collected does not have an effect on the claimed invention.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over AlSafadi et al., US Patent no. 6,467,088, in view of Curtis, US Patent no. 6,442,754.

AlSafadi et al. does not teach a method of uninstalling a component, which includes checking if other components are dependent on a resource to be deleted. Curtis teaches determining if a resource is needed by other components and, if so, notifying the user of the dependency issues [column 13, lines 48-67].

It would have been obvious to one of ordinary skill in the art to combine the teachings of AlSafadi et al. and Curtis. Checking for multiple dependencies before deleting certain resources will prevent components from becoming inoperable because certain resources were deleted [Curtis, column 13, line 66 – column 14, line 3].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beyda, US Patent no. 5,870,610, teaches downloading software necessary for correct operation of a device from the internet.

Leyda, US Patent no. 5,794,032, teaches automatically identifying and configuring a computer peripheral.

Lichtman et al., US Patent no. 5,793,979, teaches a system for allocating resources to devices connected to the system.

Nakamura, JP 08149208 A, teaches a method of adding a new component to a system.

NN9601135 teaches a method of adding new hardware to a system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul B Yanchus whose telephone number is (703) 305-8022. The examiner can normally be reached on Mon-Fri 8:00-5:30 (Every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (703) 305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9183 for regular communications and (703) 746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Paul Yanchus
July 7, 2003

THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100